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PERSONNEL IN FEDERAL GAME-LAW ENFORCEMENT

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INTRODUCTION

The purpose of this leaflet is to provide information on the work and qualifications of United States game management agents, particularly to answer inquiries received from young men who aspire to devote their lives to the protection of wildlife. Prepared more as a guide toward further training and as a source of information on the work than as a textbook, it presupposes a primary interest in game-law enforcement rather than in research or in the scientific management of wildlife areas. Therefore, it discusses the qualifications most essential in a good game management agent. At present the number of paid game-law enforcement officers is determined largely by the funds available for the purpose. The field is somewhat limited, but there is opportunity for a career in this service for persons well qualified.

Why does a young man wish to become a game management agent? Is it because he likes to hunt and fish? If so, he will be disappointed to find that the man across the tracks, the boy next door, his friend on some part-time job, or the young mechanic with the old car, all have more time to hunt and fish than he will. Does he think the job is easy? If so, he will

again be disappointed. Does he love wildlife, and is he willing to accept the hardships and dangers that go with its protection? Unless his answer to this question is in the affirmative, he should abandon hope of entering upon this work as a career.

CLASSES OF EMPLOYEES

The administration of Federal game laws is a responsibility of the Biological Survey exercised through its Division of Game Management. There are three classes of officers who enforce these laws, and all the permanent personnel regularly employed are under competitive civil service.

United States Game Management Agents

United States game management agents are full-time employees, each having a district, an individual allotment of funds, and authority to work more or less independently, though under the direction of a regional director and general supervision of the Division of Game Management. The present salary range for game management agents is $2,300 to $2,900 per annum.

Deputy United States Game Management Agents

Deputy United States game management agents also have civil-service status. Though in the past they have served only about 6 months each year, the Bureau has recently adopted the policy of employing them continuously, although at times the employment will be seasonal. These men work under the supervision of a regional director, although they may be temporarily assigned to service under game management agents. The salary for deputy game management agents ranges from $1,800 to $2,160.

United States Deputy Game Wardens

United States deputy game wardens do not have civil-service status, but have full authority to enforce Federal statutes protecting wildlife. In some cases they are paid for their services, at the rate of $3.50 per diem, but not to exceed 12 days in any one month. These appointments are given only to cooperating State and county officers, who receive no remuneration from the Federal Government, and to a few well-qualified individuals who are needed for active field patrol in the vicinity of their homes.

The Bureau annually receives hundreds of applications for the position of deputy game warden, though most of the applicants have no conception of the vast responsibilities and varied duties of the position. Their requests are usually motivated by a genuine desire to assist in game-law enforcement, but few individuals are prepared to ful-

fil the obligations of the position. In the first place most of the applicants have only meager information as to Federal statutes protecting wildlife, Bureau policy, solicitor's opinions, or court rulings. They hesitate to make arrests of friends and foes alike, to make seizures, or to appear in court as witnesses. Furthermore, they do not know legal forms and are not acquainted with the procedure at United States commissioner's hearings or in the Federal courts.

Game-law enforcement is a profession, requiring a special training. Since deputy game wardens usually work without remuneration it follows that most of them will not devote sufficient time to learn their duties well, nor can they be expected to make unreasonable sacrifices of time, money, or effort. Thus, the Bureau is faced with the possibility that deputy game wardens, through disinterest, carelessness, or lack of knowledge, may avoid their duty, perform tasks improperly, or in their official capacity disseminate erroneous information to their own great embarrassment and that of the Bureau.

Appointment as a deputy warden carries no special privileges, not even the right to carry weapons, except when the officer is actually assigned to field duty by an authorized representative of the Bureau.

The commission as deputy warden mainly gives authority to the appointee to enforce Federal laws protecting migratory birds. It does not authorize the enforcement of laws protecting fishes or game mammals, or game birds other than migrants, with the exception of Federal laws regulating interstate and foreign commerce in wild animals or parts thereof.

Deputy game wardens must exercise the utmost caution to avoid exceeding their authority. So long as they are operating within their rights, the Bureau will defend them in any claim for damages resulting from alleged false arrest or unlawful seizure. These wardens, however, must arrange for their own defense if their acts are beyond those prescribed by law, Bureau policy, or specific instructions. False arrest and imprisonment or unlawful search and seizure may bring serious consequences to the officers and may even result in fine or imprisonment.

No one needs this appointment in order to assist in game protection. If violations are observed, interested citizens should write down the time, place, circumstances, names, addresses, descriptions, licenses numbers of automobiles, and all other pertinent information, and get these and other data connected with the violation to the nearest United States game management agent with the least delay. This officer, after investigating the matter, may be able to assemble sufficient evidence to warrant prosecution of the violators or to be of aid in the event of further violations. By such cooperation, citizens undoubtedly will strengthen game-law observance more effectively than if they were commissioned as United States deputy game wardens and empowered to arrest the offenders themselves.

In addition to other requirements, applicants for the position of deputy warden must have the endorsement of the United States game management agent and the regional director for the district in which they reside.

ENTRANCE INTO THE SERVICE

The policy of the Biological Survey is to fill vacancies in the position of game management agent by promotion of the best qualified deputy agents who have served for a sufficient period to receive the necessary training. This procedure gives the deputies the experience required to fit them for the position of game management agent and enables the Bureau to determine rather definitely a man's fitness for the position before he is charged with the full responsibilities of it. Furthermore, this policy encourages adoption of game agent activities as a career and attracts men of higher caliber to the position of deputy than would otherwise be possible.

To be eligible, therefore, for regular employment by the Biological Survey in the service having to do with the enforcement of Federal game laws, and to be in line for subsequent advancement to the position of game management agent, it is at present necessary for candidates to qualify for, and successfully pass, a civil-service examination for the position of deputy United States game management agent. Examinations are held from time to time on definite dates but only when the requirements of the service cannot be met by the existing civil-service register of eligibles for the position. To be admitted to the last examination, given on January 12, 1939, applicants were required to have the five following qualifications:

1. United States citizenship.

2. Age.--At least 25 years of age but not more than 40.

3. Physical ability.--In sound physical health; height, at least 5 feet 6 inches without boots or shoes, weight, at least 140 pounds without clothing, and well proportioned as to height and weight; vision and hearing, good. Before appointment the candidate must pass a rigid physical examination by a Federal medical officer.

4. Education.--Successful completion of a full 4-year high school course or 14 units of high school study acceptable for college entrance. Additional consideration is given for college work in law, biology, and game management.

5. Experience.--At least 2 years' experience in work that would be preparatory for the position--game-law enforcement, management of a wildlife refuge, wildlife research, game management, or work on similar or equivalent lines.

After meeting all of the requirements for entrance into the service the newly appointed deputy agent, before his appointment becomes permanent, must serve a year under probation, during which, if he is found to be unsatisfactory, he is dropped from the service.

What follows in this leaflet regarding game management agents applies also to all classes of Federal game-law enforcement officers.

DUTIES

The game management agent is employed for the specific purpose of enforcing the Migratory Bird Treaty Act of 1918, protecting birds that migrate between the United States and Canada, as amended June 20, 1936, to extend its provisions to the treaty concluded February 7, 1936, protecting birds that migrate between the United States and Mexico and regulating the movement of game mammals and parts thereof between the two countries, the Lacey Act of 1900, as amended June 15, 1935, regulating shipments in interstate and foreign commerce of wild birds and other animals, their dead bodies, or parts thereof, and the importation of live birds and other animals from foreign countries; the Migratory Bird Conservation Act of 1929, authorizing the establishment of bird refuges; the Migratory Bird Hunting Stamp Act of 1934, as amended June 15, 1935, to aid in refuge establishment; and a law (sec. 84, Criminal Code) protecting wildlife and property on national wildlife refuges. In addition, he may accept an appointment as honorary game warden, without compensation, from a cooperating State game department, and in that capacity assist in the enforcement of State game laws in his district. This cooperation is encouraged, but it must be incidental to Federal activities and not interfere with them. He is also called upon to do various other things in connection with the protection, restoration, and conservation of wildlife.

As a public servant, the game management agent has duties that include the protection of life and property as well as the enforcement of statutes protecting wildlife. Maximum results can be attained only through his winning and keeping the confidence of his fellow men, cooperation, and diligently applying his own abilities. Enduring exposure to cold, heat, and insects, risking willful or accidental shooting, administering first aid, arresting friend and foe alike, pitting speed and wits against violators, sacrificing Sundays and holidays, patiently enduring long absences from home, night patrol, and failure of equipment, and making speeches are among his varied experiences.

To fill his position successfully the game management agent must gain the support of the public, develop the aid of State, county, and municipal officials, and above all must have the cooperation of State game departments. These objectives usually can be won by dint of hard work, an open mind, good personality, sound judgment, and careful thought.

The game management agent is furnished with an automobile, powerboat or outboard motor, field glasses, revolver, handcuffs, and other necessary equipment. He is provided with an office in a Federal building, appropriately furnished with lights, telephone, typewriter, stationery, and other facilities. He must keep accurate records of his finances, property, and accomplishments. Correspondence and other paper work are of considerable volume.

PHYSICAL REQUIREMENTS

Physical strength, mental alertness, and courage are all necessary to the successful performance of the duties of game management agent. He must be in sound health, able-bodied, and capable of enduring hardships and performing arduous labor under most trying conditions. A man must meet these physical requirements if he proposes to make game-law enforcement a profession, because at times he will be called upon to row boats, swim rivers, wade marshes, wait long periods in cramped positions, withstand disagreeable weather, and outrun and overpower violators.

SCHOLASTIC TRAINING

The present standards require that the prospective game management agent be a high-school graduate. Since game is an auxiliary product of the soil, it follows that the agent must also know something of the agricultural sciences. He is frequently called on to make inspections of alleged damage to fruits by insectivorous birds, to grains by ducks, geese, and blackbirds, and to other crops by vegetarian birds and mammals. He must be able to appraise the damage, pacify the irate farmer, and suggest means of control that will not be unduly destructive to the wildlife involved.

The agent should have a good background in biology, the basic science that deals with both plants and animals. He should be trained in zoology so that he will know the animals he is required to protect, and in botany so that he will know the plants most suitable for their food. More specifically, he should be fairly well informed in ornithology, the branch of zoology that deals with birds; mammalogy, the branch that treats of the higher orders of animals that nourish their young with milk; ichthyology, which concerns the fishes; and ecology, the study of plants and animals in relation to their environment.

Since the game management agent is primarily a law-enforcement officer, training in law will aid him materially in detecting, preserving, and presenting evidence in connection with game-law violations. Furthermore, knowledge of the law will help him to understand and interpret the statutes he is paid to enforce.

The game management agent appears frequently before lodges, schools, civic clubs, sportsmen's associations, and other groups to tell them the story of conservation, and to solicit their cooperation and support of measures in behalf of wildlife. Training in public speaking, therefore, is an asset. It also enables him to relate facts clearly and accurately when on the witness stand.

In Wildlife Research and Management Leaflet BS-98, the Biological Survey lists (for 1937) colleges and universities offering courses in wildlife management and presents information on undergraduate and graduate courses in wildlife management. A copy will be furnished on request.

EXPERIENCE

Assuming that his physical qualifications and scholastic training are sufficient, the game management agent must also have out-door experience. He should have practical knowledge of the habits and haunts of the birds and animals he is to protect. Experience gained through careful observation guided by good judgment will reveal many peculiarities of nature and man not found in books. It will teach him the difference between bravery and foolhardiness, cowardice and caution. It will be helpful in detecting lies and getting the truth. It will be valuable in determining when and where to go and what to say and do under any particular circumstances.

With experience the agent will learn the essentials of arrests and warrants; he will be cognizant of the fact that under our form of government "all men are created equal"; that they are secure in their persons and possessions from unreasonable search and seizure; that they may have defense attorneys, call witnesses, have a speedy public trial by an impartial jury or judge; that they cannot be compelled to give evidence against themselves or be deprived of life, liberty, or property unless by due process of law. In other words, he will learn to appreciate the rights of the citizen and to know the limitations of the officer.

In the service, all this experience can be acquired in the position of deputy game management agent as well as in the position of game management agent. Outside of the service, part or all of this desirable experience can be gained in various other occupations. Among these are game warden or other law-enforcement officer, when considerable time is devoted to the enforcement of game laws; manager or an assistant on a Federal, State, or private wildlife refuge or game farm; hunting or fishing guide; caretaker of a hunting or fishing club; worker in wildlife research or game management; foreman in a C.C.C. Camp of the Biological Survey, National Park Service, Forest Service, or Soil Conservation Service devoted to wildlife work; Federal, State, or county worker in predator or rodent control; laborer-patrolman on a Federal, State, or private wildlife refuge.

ATTITUDE

To be a good officer a game management agent must have an attitude of fairness and courtesy. Moreover, he must be impartial and courageous, although he should avoid any semblance of a dictatorial, superior, harsh, or overbearing attitude. He must lead an exemplary life, free from suspicion or scandal.

His methods should be direct, orderly, and firm, without provoking either anger or resistance. At times when necessary an agent may have to exercise reasonable force in effecting arrests, but he should still be courteous and considerate to the fullest possible extent.

There will be times when an agent must act swiftly and forcibly, and if criticized for his acts, his reputation for fairness, tact, and courtesy will then be a highly valuable asset to sustain him. The efficiency of an agent depends in large measure upon his ability to command the respect and confidence of those with whom he comes in contact. There is little likelihood of anyone progressing very far in game-law enforcement without the proper attitude.

To sum up the whole matter briefly, a good game management agent should have some of the training, experience, and characteristics of an athlete, a mechanic and boatman, a biologist and farmer, a public speaker and writer, a detective and policeman, a lawyer, and a diplomat.